

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE MCGRAW-HILL COMPANIES, INC.,)
PEARSON EDUCATION, INC., PENGUIN)
GROUP (USA) INC., SIMON &)
SCHUSTER, INC., and WILEY & SONS,)
INC.)

Plaintiffs,)

v.)

GOOGLE INC.,)

Defendant.)

Civil Action No.: 05 CV 8881-JES

THE AUTHOR'S GUILD, Associational)
Plaintiff, HERBERT MITGANG, BETTY)
MILES AND DANIEL HOFFMAN,)
Individually and on Behalf of All Others)
Similarly Situated,)

Plaintiffs,)

v.)

GOOGLE INC.,)

Defendant.)

Civil Action No.: 05 CV 8136 (JES)

NOTICE OF INTENT TO SERVE SUBPOENAS

Defendant Google hereby provides notice that it intends to serve the attached subpoenas directed to Yahoo! Inc.; Microsoft Corporation; the Association of American of Publishers, Inc.; Random House, Inc.; Holtzbrinck Publishers, LLC; and HarperCollins Publishers, Inc.

Dated: September 29, 2006.

s/Ronald L. Raider

Joseph M. Beck (JB 9494)
Alex S. Fonoroff (AF 2533)
Ronald L. Raider (RR 5307)
Kilpatrick Stockton LLP
1100 Peachtree Street, Suite 1100
Atlanta, GA 30309-4530
Telephone: (404) 815-6406
Facsimile: (404) 541-3126

Adam H. Charnes (AC 0161)
Kilpatrick Stockton LLP
1001 West Fourth Street
Winston-Salem, NC 27101-2400
Telephone: (336) 607-7382
Facsimile: (336) 734-2602

Jeffrey A. Conciatori
Quinn Emanuel Urquhart Oliver & Hedges
51 Madison Avenue, 22nd Floor
New York, NY 10010
Telephone: (212) 849-7000
Facsimile: (212) 849-7100

CERTIFICATE OF SERVICE

This is to certify that the foregoing NOTICE OF INTENT TO SERVE SUBPOENAS
was served this 29th day of September, 2006, by email, on the following:

Bruce P. Keller (bpkeller@debevoise.com)
Jeffrey P. Cunard (jpcunard@debevoise.com)
James J. Pastore, Jr. (jjpastor@debevoise.com)
Debevoise & Plimpton LLP
919 Third Avenue
New York, NY 10022

Counsel for the Publisher Plaintiffs

Sanford P. Dumain (sdumain@milbergweiss.com)
Laura Gundersheim (lgundersheim@milbergweiss.com)
Milberg Weiss Bershad & Schulman LLP
One Pennsylvania Plaza
New York, NY 10119-0165

Michael J. Boni (mboni@kohnswift.com)
Kate Reznick (kreznick@kohnswift.com)
Kohn, Swift & Graf, P.C.
One South Broad Street, Suite 2100
Philadelphia, PA 19107

Counsel for the Authors Guild Plaintiffs

s/Ronald L. Raider

Ronald L. Raider